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Peter Woodward

Sudan: Political Transitions Past and Present

Sir William Luce Memorial Fund



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Born in 1907, Sir William was educated at Clifton College and Christ's College Cambridge, where he read History and Modern Languages. Entering the Sudan Political Service in 1930, he served in Berber, Darfur, Blue Nile and Equatoria Provinces and finally as Adviser to the Governor-General on Constitutional and External Affairs in the immediate period leading to the Sudan's independence in 1956. He was later able to bring his many talents to other offices.

He was Governor of Aden from 1956 to 1960. From 1961 until 1966 and again from 1970 to 1972 he was intimately connected with the Gulf area, first as Political Resident, based in Bahrain and then recalled from retirement - as the Foreign and Commonwealth Secretary's Personal Representative for Gulf Affairs.

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Sudan: Political Transitions Past and Present

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by

Peter Woodward

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His books on Sudan include *Condominium and Sudanese Nationalism* (1979) and *Sudan 1898-1989: The Unstable State* (1990). His most recent book is *US Foreign Policy and the Horn of Africa* (2006). He was editor of *African Affairs*, The Journal of the Royal African Society, from 1986-1997; and has been editor of *British Documents on Foreign Affairs: Africa*, since 1991. He has also written numerous articles in academic journals and chapters in books on Africa and the Middle East. For many years he has contributed to the media, especially the BBC World Service.

He has advised a number of governments, and currently is assisting the British government's programme in support of Sudan's political parties in preparation for the 2009 elections, as well as support for the electoral commission itself.

Sudan: Political transitions past and present

Peter Woodward

Sir William Luce Memorial Fellow 2008

Introduction

This lecture marks the end of the 50th anniversary year of the founding of the University's acclaimed Sudan Archive by Richard Hill. Scholars ever since have had reason to be grateful to Richard for his vision in setting up the archive: I know of no comparable archive in Britain on a single country in Africa. I would also like to pay tribute to the archivists who have maintained and developed it with a commitment far beyond the call of duty, particularly Lesley Forbes and Jane Hogan.

I wanted to make use of the archive to research the role of Bill Luce in Sudan's transition 1953-1956 from imperial rule to independence as a multi-party democracy. I interviewed Sir William, as he became in 1956 shortly after leaving the country, when researching my PhD in the early 1970s and as well as entertaining me royally he also left me intrigued to learn more of his own role.¹ At our interview Sir William did not rely simply on his memory, but occasionally retired to his study to consult his papers before answering specific questions. It was very helpful, but I have long wanted to see what he went out to read, especially his personal correspondence with successive Sudan Agents in London.² My major reason for doing so was that it appeared to me then that Luce had been a central figure in the transition process, during which he served as Adviser on Constitutional and External Affairs to the British Governor-General. He served under two Governor's-General: Sir Robert Howe, who had arrived in Sudan in 1947 but spent much of the transition period out of the country due to his wife's ill health, before retiring in 1955; and Sir Knox Helm, Howe's replacement for the last few months before independence, who had no background in Sudan. As a result much was left for Luce to handle. Later writers have come to a similar conclusion to mine regarding his importance: Martin Daly writes in *Imperial Sudan*, 'His [Luce's] role in the politics of self government, while largely behind the scenes, was crucial to the outcome';³ and in *The End of Empire in the Middle East* Glen Balfour-Paul paid fulsome tribute to his work not only in Sudan but in Aden and the Gulf as well.⁴

Four transitions

Much of the world will have some knowledge of what is going on in Sudan. It has been difficult to avoid awareness of Darfur, which has been called in recent times the world's

¹ Sir William told me that shortly before he left Sudan he asked the Foreign Office in London if it wished him to ship confidential documents from the Governor-General's Palace in Khartoum. When it declined he had to reluctantly hold a bonfire in a corner of the Palace gardens.

² The Sudan Agent was a senior member of the Sudan Political Service based in London to act on behalf of the government in Khartoum. Luce wrote regularly with informal updates on developments in Sudan.

³ Daly, M.W., *Imperial Sudan: The Anglo-Egyptian Condominium, 1934-56*, (Cambridge, Cambridge University Press, 1991), p.374.

⁴ Balfour-Paul, Glen, *The End of Empire in the Middle East*, (Cambridge, Cambridge University Press, 1994), p.43.

worst humanitarian crisis. Some will probably know that even while conflict was escalating in Darfur in 2003, peace negotiations were proceeding between the dominant National Congress Party (NCP) in the Government of Sudan (GOS) and the powerful rebel movement in the Southern Sudan, the Sudan People's Liberation Army/Movement (SPLA/M), which resulted in the signing of the Comprehensive Peace Agreement (CPA) in January 2005. Following the signing of the CPA Sudan is currently experiencing its fourth transition to multi-party democracy, with elections scheduled by July 2009; to be followed in 2011 by a referendum in the South on continued unity or full separation.

Two of those four transitions, in 1964-5 and 1985-6, were comparatively brief, lasting approximately one year each. They both took place following essentially spontaneous popular uprisings against the then military regimes in power: the 'October Revolution' of 1964 against Abboud's regime that had seized power in 1958; and the rising of April 1985 against Nimeiri's regime that had started with a coup in 1969. They are remembered proudly, for such uprisings against the military require bravery and determination. Both uprisings were unexpected, and partly in consequence there had been little preparation for power and the interim governments that emerged were to achieve little by way of change, contributing to a sense of frustration at lost opportunities.⁵ Instead the traditional elitist political parties of northern Sudan, the Umma Party and the Democratic Unionist Party (DUP) re-captured the initiative from the street where radical ideas of the progressive 'modern forces' were being heard, to return fairly swiftly to multi-party democracy under the Westminster-style constitution pertaining when Sudan became independent on 1 January 1956.⁶ Essentially Sudan had twice gone from military rule to the *status quo ante*: more a restoration than a transition to a viable multi-party system since it meant returning to one with clear failings. The system was based on a centralised unitary state that failed to extend a share in power to the geographically remoter parts of the country (now often referred to as the 'marginalised areas') especially the south where the resort to conflict, first seen before independence in August 1955, had turned into guerrilla war that continued during and after these two transitions. At the same time the balance between the dominant northern political parties ensured a return to unstable coalition government, which had become the norm for elected governments following independence.⁷ As a result the elected governments were unable to stop the civil wars in the south, or deliver on development. In frustration there were many people who welcomed the military coups of 1958 and 1969 in the hope of more decisive and effective government.

However the transition which is now under way resembles less those two experiences of 1964-65 and 1985-86 than that of 1953-56 as Sudan moved from the Anglo-Egyptian Condominium to full independence, a comparison of which some Sudanese are well aware. These two transitions were not the result of popular uprisings, rather they were 'pacted transitions' in which major actors in Sudanese politics were forced by changing political balances and circumstances to negotiate with each other. The 1953-56 transition was a negotiated process involving the major actors in Sudanese politics at that time:

⁵ There was a Roundtable Conference on the South following the October Revolution, but it came to little.

⁶ The constitution itself was regarded as interim with the expectation that a permanent constitution would be written after the decision on sovereignty had been taken. In fact no such constitution was written during the periods of multi-party rule.

⁷ Woodward, Peter, 'Is Sudan Governable? Some thoughts on the experience of liberal democracy and military rule', *Bulletin*, British Society for Middle Eastern Studies, Vol. 13, No 2, pp.137-149, 1987.

Britain, Egypt and the major Sudanese political parties, especially the Umma Party and the then National Unionist Party (NUP), the latter of which had been boycotting the earlier British-led constitutional steps towards self-government.⁸ The Anglo-Egyptian Agreement of February 1953, which laid out the groundwork and started the transition, was essentially the result of the manoeuvring of Egypt and the Sudanese to oust Britain, but in accepting the inevitable it, like the CPA in 2005, laid down a transitional process with an open conclusion: not as now the possible separation of the south from the north but a decision over whether Sudan wished to be united with Egypt or independent.⁹

The two transitions are also comparable in that they involve multi-party elections for new democratic governments: in 1953 for the first time; and in 2009 for the fourth. Both transitions have had at their heart the issue of Sudan's sovereignty, with a process put in place for the people to arrive in the end at a decision regarding it. A number of other issues are also common to both transitional periods. The 'neutrality' of the civil service is important for the 'free and fair' judgement of the people and has been perceived as requiring changes in both transitions. Issues of resources have also had to be addressed in the course of both: the sharing of water between Egypt and Sudan became a factor in the first transition; while oil fields and oil revenues are relevant to the present one. The agreements that have launched the transitions have also contributed to the rise of conflict. Finally the international community has had both an official and an unofficial role in both transitions.

Sovereignty

Sudan's sovereignty had long been an issue of rivalry and ambiguity. Following the invasion by Egypt's ruler, Mohammed Ali, in 1820 which began the territorial consolidation of what is now Africa's largest country, Sudan was often referred to as under Turco-Egyptian rule. 'Turco' because Egypt was legally part of the Ottoman Empire, and 'Egyptian' because the government there was effectively autonomous. The Mahdist revolt drove out Turco-Egyptian rule with the fall of Khartoum in 1885, but there was no international recognition for the Mahdiyya as the state then established has become known. The Anglo-Egyptian re-conquest, culminating in the Battle of Omdurman in 1898, established Condominium rule, but was in fact British dominated.¹⁰ Egypt however continued to regard Sudan as a territory legally under the Egyptian crown which had been in rebellion during the Mahdiyya, but to which Egyptian sovereignty had been restored in 1898.

After World War II the rivalry of Egypt and Britain was intensified, especially as Sudanese nationalism developed. The latter however was split, especially between the followers of the patrons of the two major parties. While the Mahdists, backers of the Umma Party, were pro-British because of the latter's perceived wish to keep Egypt out of Sudan, the Khatmiyya sect, supporters of the NUP, proclaimed themselves for unity with

⁸ The NUP later became the Democratic Unionist Party (DUP).

⁹ Woodward, Peter, *Condominium and Sudanese Nationalism*, (London, Rex Collins, 1979).

¹⁰ Condominium was then a unique status devised by Lord Cromer, Britain's Consul-General in Egypt, and was deliberately ambiguous. Britain's leadership of the re-conquest of Sudan entitled it, in Cromer's view, to effectively control Sudan, while minimising the offence given to the Khedive in Egypt. The preamble to the Agreement referred both to Britain's rights by way of conquest and the re-conquest of former provinces of Egypt. Cromer, Earl of, *Modern Egypt*, Vol.II, London, 1908, p.118.

Egypt. As long as Egypt continued to claim Sudan and the British in Sudan, in effect the independently-minded Sudan Political Service (SPS), resisted with the support of the Umma Party, there could be no resolution of Sudan's sovereignty.¹¹ However, in July 1952 a coup in Egypt brought a military regime with a new approach. In overthrowing the monarchy it said that Egypt's claim was withdrawn and the issue would now be decided by the Sudanese; to which all Sudanese parties, including the hitherto pro-British Umma Party, responded positively thereby totally undercutting the position of the SPS. Shorn of Sudanese support, the British government had little option other than to agree with Egypt producing the Anglo-Egyptian Agreement of 1953 by which the issue of sovereignty would be decided by the Sudanese people at the end of the transitional period.

The Agreement was not without its critics including many in the SPS who felt that the British government had betrayed the Sudanese to Egypt, and that the latter would work to finally re-gain the control lost in the previous century.¹² Sir James Robertson, the outgoing Civil Secretary, wrote, 'Unless a miracle happens, Sudan will be swallowed up by Egypt'.¹³ Luce, however, was determined to do his utmost to prevent it, writing, 'It is inconceivable to me that we should admit defeat and write the Sudanese off as an Egyptian Province. It's going to be a tough fight.'¹⁴ However, he himself appeared from the outset to be confident of the outcome writing privately in December 1953 that, 'I still firmly believe that the Sudan will get its independence in the end'.¹⁵ It would be achieved not by British pressure but as he put it, 'the logic of the situation and events'.¹⁶

One event that was to do much to shape the situation came with the elections of 1954. Many of the SPS felt that a victory for the pro-independence Umma Party in the elections would help their cause, and Luce himself expected it as did most of his colleagues. But for him at least the surprising victory instead of the pro-union with Egypt NUP was less a source of disillusionment than a wake-up call. From then on it was clear to him that a policy of steering the NUP towards independence 'was more likely to achieve H.M. Government's aim for the Sudan'.¹⁷ An Umma victory, he realised, would have driven the NUP further into the arms of Egypt; but if a victorious NUP could be steered away from Egypt, then the opposition Umma Party would go along with it. Luce told me that an important link had been his relationship with Mubarak Zarouq, the young and able Minister of Communications and Leader of the House of Representatives. Howe and Luce were also instrumental in arranging for Ismail Azhari, the newly elected Prime Minister, to make an early visit to London where he was warmly received. It helped to overcome the initial distrust on both sides, which led Azhari to remark later, 'My feeling when greeting him [the Governor-General] for the first time was a feeling that the man

¹¹ The Sudan Political Service was responsible not to the Colonial Office but to the Foreign Office, officially reporting through the British Embassy in Cairo but often acting with a large measure of autonomy.

¹² One critic brought Luce what he described as 'a little light relief'. 'My son, Richard, who is a student of Sudan affairs, decided to write a letter to *The Times* which tore everything to strips', however his mother, Margaret Luce, phoned the paper to stop it. Luce concluded, 'One's children are rather hair-raising at times.' Luce to Davies, 12 July 1954, SAD 828/7/53.

¹³ Balfour-Paul, *The End of Empire*, p.39.

¹⁴ Luce to Davies, Sudan Agent, 5 May 1953, SAD 829/9/25.

¹⁵ Balfour-Paul, *The End of Empire*, p.43.

¹⁶ Luce to Davies, 30 Jan. 1954, SAD 828/6/27.

¹⁷ Daly, *Imperial Sudan*, p.367.

whose hand I seized would respect the constitution and fulfil the terms of the Agreement'.¹⁸

By 1954 Luce quoted Azhari as saying in conversation with him that,

You must not suppose that anyone in his senses, having thrown off one master would put himself under a new master. Most people in the country have for some time felt that it would be easier and more practical to ally themselves temporarily with Egypt in order to get rid of the British. But that did not mean that they wished to put themselves under the Egyptians.¹⁹

It was also clear that Howe and Luce had to contend not only with a new Sudanese government, but also with the Foreign Office in London and the British Embassy in Cairo. With agreement with the new Egyptian government on the future security of the Suez Canal at the top of its agenda, the Embassy in Cairo sought, 'a new and more sympathetic look at Egyptian aspirations in the Sudan'; which few doubted would mean a sustained campaign to persuade the Sudanese towards eventual union at the end of the transitional process. In the Foreign Office in London and in the British Embassy in Cairo there were feelings, at times at least, that the SPS was not as politically sensitive as it should be in the situation; Daly even quotes one Foreign Office official as wanting to 'clear out the whole cry-baby lot'.²⁰

Luce and his colleagues feared that the Foreign Office would be swayed by the Embassy towards concessions, and he did his utmost to persuade London of the dangers of union between the two countries; in this he was supported by the belligerent hostility towards Egypt of Prime Minister Winston Churchill, veteran of a cavalry charge during the Battle of Omdurman, who now suggested sending British reinforcements up the Nile again, a prospect too much even for the most die-hard members of the SPS.²¹ However, with time and persuasion Howe and Luce were successful in winning the Foreign Office to their view rather than that of the Embassy, with Luce writing gleefully in December 1954 that the Foreign Office had delivered the 'coup de grace to Cairo's ideas about appeasing the Egyptians'.²² However, they were less successful in their endeavours, 'to extract from the British Government a public assurance of its readiness to afford moral, material and financial assistance to the Sudan after self-determination'.²³

The Anglo-Egyptian agreement of 1953 charted a course which proved as taxing as expected to maintain. It was intended initially that there would be two elections, one to start the self-governing period, and another to be held before the decision on sovereignty which would then be taken by the newly-elected Assembly. However by mid-1955 it was becoming clear that in the light of a shift in sentiment away from Egypt, there was growing impatience for the decision on sovereignty to be taken.

By August Sayed Ali al-Mirghani, leader of the influential Khatmiyya sect backing the NUP, was suggesting a plebiscite rather than an election as the mechanism for the decision, a move to which the Assembly agreed on 29 August. But by October Prime

¹⁸ *Morning News*, 7 March 1955.

¹⁹ Luce, Note, SAD 828/6/45.

²⁰ Daly, *Imperial Sudan*, p.374.

²¹ Luce to Davies, 5 May 1953, SAD 829/9/25.

²² Luce to Lampen, Sudan Agent, 29 Dec.1954, SAD/828/9/35.

²³ Balfour-Paul, *The End of Empire*, p.44.

Minister Azhari was saying that the existing Assembly could take the decision. Such speculation not only added to the manoeuvrings of Sudanese politicians, but also those of the co-domini. British officials in Khartoum had been suggesting that Britain make a unilateral declaration of Sudan's independence, only for the British Embassy in Cairo to pour cold water on it. Egypt however countered with a proposal for a plebiscite and an election, with the new Assembly then taking the decision in accordance with the wishes shown by the plebiscite. Britain resisted at first, but a further Anglo-Egyptian Agreement along these lines was signed on 10 December. Unbeknown to the co-domini it was to be their last act as such, for the matter was effectively not in their hands but those of Sudanese politicians and after some back-stage negotiations on 15 December Azhari slipped out the fact that independence would be declared in the Assembly 'next Monday'.²⁴ Thus it was, and the British and Egyptians had no option other than to accept it and then seek to chart their respective relations with the newly independent country.

While the first transitional process answered the question of sovereignty of Sudan in relation to Egypt, the whole process said nothing directly about the southern Sudan. Luce, who had been briefly governor of Equatoria in the far south, spoke of the region as dogged by historical bad luck. Exploited in the nineteenth century, especially for slaves, in the inter-war years of the twentieth century Britain sought to chart a course of isolation for the south, only to find it had to be abandoned in 1947 in the face of northern Sudanese nationalism and its desire to incorporate the south fully into the country.²⁵ In the following years this led to worsening relations between the two regions, as Luce put it, 'Thus on 1st of January 1954, the Sudan entered into full self-government in an atmosphere of extreme distrust and fear on the part of Southerners towards the North.'²⁶ Far from solving the problem of relations between north and south the situation worsened during the transition. The issue of the status of the south was raised by southern politicians, to be met with talk of later consideration of federation, but not the possible issue of sovereignty. Instead the first violent clashes occurred with the Southern Mutiny of August 1955; and it was to take long years of further conflict before the sovereignty issue finally arose.²⁷

The issue grew slowly from 1994, when, following yet another round of failed peace talks, a regional organisation, the Inter-Governmental Authority for Development (IGAD), came up with a Declaration of Principles (DOP). It envisaged, that in the event of the Sudan government not agreeing to end *sharia* (Islamic law), first introduced in 1983, returning Sudan to a secular state as demanded by the SPLA, then the south should have the right of full self-determination.²⁸ When serious negotiations started in 2002, this

²⁴ Constituent Assembly, *Proceedings*, 15 Dec. 1955.

²⁵ Woodward, Peter, 'The South in Sudanese Politics', *Middle Eastern Studies*, Vol.16, No.3, 1980, p.178-92.

²⁶ Luce to Maddocks, 1 Nov.1955, SAD 829/6/1. P. Maddocks was an official in Northern Nigeria who had written to Luce about the handling of relations between Muslim and Christian societies in decolonising situations. Luce went on to say, 'Eschew all sentimental thought of human zoos or museums, anthropological paradises, the joys of life in the raw, etc.'

²⁷ Johnson, Douglas, *The Root Causes of Sudan's Civil Wars*, (Oxford, James Currey, 2003).

²⁸ IGAD was set up by eight countries of the Horn and East Africa following the famines of the 1980s. In recent years it has been the regional organisation responsible for the peace processes in both Sudan and Somalia.

was the first major issue and was enshrined in the Machakos Protocol of that year, which was followed by a series of protocols on different issues culminating in the CPA of 2005.

Like the Anglo-Egyptian Agreement before it, the CPA envisages two consultation processes, the second of which is to be decisive with regard to sovereignty. The first is a national election for an Executive President, the National Assembly and the Assembly in the South; as well as for state elections for what is now, with the establishment of the Government of Southern Sudan (GOSS), an asymmetric federal system. The elections are scheduled to take place by July 2009, but first require the staging of a national census (no accepted census having taken place since independence), as well as negotiations over the elections themselves including the partial use of proportional representation and the inclusion of seats reserved for women. The second consultation, the one on sovereignty, will be the referendum in Southern Sudan in which the Southerners alone will decide whether there will be one country or two separate states. (The parties to the CPA agreed to work to make the former attractive, but it is the peoples' will which will be decisive.) Whether the elections and the referendum will proceed as agreed in the CPA is yet to be seen, but the earlier transition of 1953-56 suggests that there may be some twists and turns along the way.

The eventual CPA was conceived at Machakos in 2002 with the sovereignty issue at its centre, and, as mentioned, is scheduled to end with the referendum in 2011. A nine year transition seems a long time, but it should be remembered that the issue of Sudan's sovereignty has been around in one shape or another for over 100 years.

Just as shifting political relations were significant in the first transition, so since Machakos in 2002 comparable tensions have emerged. The CPA created a new Government of National Union (GNU) with majority NCP membership and minority SPLM participation; as well as the new GOSS in which the SPLM was similarly installed as dominant with the NCP in the minority. With elections and the referendum judged to require considerable time, there would be a prolonged period for political jockeying in both governments which could affect the whole process of the implementation of the CPA.

At a personal level the negotiating of the CPA was seen to have been helped by the relations between Vice-President Ali Osman Taha and SPLA leader John Garang. But Garang was killed in a helicopter crash in 2005, while Taha's star appeared to wane somewhat. Instead the top security figures appeared ever more significant in the NCP led by Nafie Ali Nafie. In the South Garang was succeeded by his former deputy, the less experienced Salva Kiir Mayardit. There were also disagreements within both the NCP and the SPLM, with some in both camps favouring separation and others eventual unity. Tensions rose to the point in October 2007 where the SPLM withdrew from the GNU in protest against various problems with the implementation of the CPA. By the end of the year the SPLM had returned following concessions by the NCP, but the experience illustrated how fragile are the relations between the two main parties to the CPA. Those relations will in turn influence the sovereignty issue in 2011: while the referendum will put the decision in the hands of all Southerners, the positions adopted by the major parties, especially the SPLM, are likely to be significant.

‘Free and fair’ elections

Throughout Africa in the past twenty years the fresh wave of democratization has been accompanied by discussions of ‘free and fair’ elections. Indeed if they are not so perceived, elections will lose their legitimacy both in the eyes of the parties contesting them and the electorate at large.

In the first transition this issue came down largely to the implementation of Sudanization as embodied in the Anglo-Egyptian Agreement of 1953, and it was another area in which Luce was a major figure. Sudanese politicians, especially NUP, urged the rapid replacement of British officials, doubting their presence could allow for a ‘free and fair’ atmosphere for the elections as the transition process moved towards a decision on the issue of relations with Egypt. Many British officials were very resentful of this treatment which they thought showed scant gratitude for their service, though the pill was sugared with generous compensation. Luce, however, recognised the political significance of cooperating in the rapid transfer, regarding that as more helpful for British objectives than the loss of government efficiency that was likely to result from rapid Sudanization. As he put it in January 1954,

The British in the Sudan have had it, and if there is to be any salvation for the country, it must come through Sudanese themselves. Perhaps the best way we can help the Sudanese to help themselves from Egyptian domination is to remove ourselves as quickly as possible and to face them fairly and squarely with the Egyptian menace.²⁹

At the same time the withdrawal of British officials and strict adherence to the Anglo-Egyptian agreement would help improve relations between the small band of British who remained and the new Sudanese government and thus help with a British policy of seeking Sudan’s full independence.³⁰

At the time of the CPA in 2005 the issue of the state’s personnel arose again. It was widely believed that the NCP had placed many supporters in senior positions in the civil service and that it would be necessary to address this in some way. The CPA itself was particularly concerned for a greater representation of Southerners within the national civil service (in addition of course to their posts in the new GOSS). Reports indicate that there has indeed been some recruitment into a number of ministries in spite of the limited pool of qualified Southerners after so many years of devastating conflict. In addition other political parties, especially the old northern parties such as the Umma Party and the DUP, have been critical of what they perceive as the stranglehold of the NCP on positions of power. In particular they are concerned that the NCP’s dominance in the state will facilitate patronage which will be used for electoral advantage. Indeed allegations of such behaviour, especially by federal state governors who owe their positions to the NCP, have frequently been made. There have been some concessions, however it has long been noted that the NCP is adept at smoke and mirrors’ tactics and thus appointments of newcomers to senior posts will not necessarily ensure a significant dilution of the party’s grip on power, especially in areas it regards as key, such as security, energy and

²⁹ Luce to Davies, 30 Jan.1954, SAD 828/6/27.

³⁰ Luce spent a good deal of his time dealing with matters such as the pension and compensation arrangements for departing British officials, and their re-employment opportunities in Britain and elsewhere. A number moved on to the Foreign Office and served with distinction in Middle Eastern posts in particular.

finance.³¹ However, while the need for change has been recognised if the processes of the CPA are to be accorded legitimacy, and some has taken place, it is unlikely that there will be any transformation of personnel to compare with the wholesale Sudanization programme of 1953-55.

The discussion of 'free and fair' elections has also included several other issues. Opposition political parties have argued that there are a number of laws on the statute book which are inimical to a free contest.³² The need for a new census, so vital to the holding of elections, has also caused controversy. The SPLM in particular has wanted the census to include ethnic origin and religious affiliation, though this was rejected and the question asked on the form concerned only previous residence. Security issues were also such that parts of the South and Darfur posed significant problems for the census which was finally conducted in April 2008. Overall problems of agreeing what is 'free and fair' delayed the finalising of the election law until July 2008. In addition the failure to demarcate the border between North and South is creating problems for the designation of geographical electoral constituencies.

Resources

The issue of sovereignty in particular gives rise to issues of shared resources. But it is not simply a matter of waiting until a decision has been made and dividing the resources if separation is the outcome: rather the resource issue has to be recognised and addressed at an early stage in the process, and the impact of doing so can then become an important factor in the outcome.

In 1953-56 there were differences over Egypt's wish to build the High Dam at Aswan and the necessity for a new Nile Waters agreement between Egypt and Sudan to replace the one of 1929. Water was a significant issue for Sudan since its main export was cotton, which grew largely in irrigated areas and which it hoped to expand. Negotiations had started following the election of the new government in Sudan in 1953, but they had proved very difficult. Indeed the eventual failure after openly rancorous exchanges between the two parties contributed to the NUP government's drift away from union with Egypt. Britain was involved since it, as well as the USA and the World Bank, was to contribute to the intended loan for the dam. The Bank finally decided not to assist the financing of the dam. In his correspondence with the Foreign Office Luce was particularly adamant about Sudan's position, 'I must emphasise again that this is not a question of obstinacy or obstruction on the part of the Sudan; it is a matter which vitally affects the welfare of future generations of Sudanese.'³³ And when he was asked the likely effect in Sudan of Britain supporting the financing of the dam through the World Bank he replied that it would be disastrous if no Egyptian-Sudanese agreement was in place. Their eventual lack of agreement on the Nile waters was one of a number of

³¹ Following the return of the SPLM to the GNU in December 2007 it was noted that the powerful NCP Minister of Energy, Awad al-Jaz, was switched: he was made Minister of Finance.

³² The main current laws causing concern are: the National Security Law; the Human Rights Commission Law; the Press and Publications Law; and the Law of Criminal Procedures.

³³ Luce to Millard, 24 Feb. 1955, PRO FO371/113731. Luce also reminded Sudanese politicians that Sudan's economy, based largely on irrigation for cotton exports, was effectively in competition with Egypt's. He also relished Egypt's strident approach to the Nile Waters' negotiations which he felt contributed significantly to their failure.

factors contributing to the World Bank's decision not to fund the dam, which in turn led to Nasser's decision to nationalise the Suez Canal: it was a step in events that were to have a major impact on the course of the Middle East as a whole.

While cotton had been the mainstay of Sudan's economy during the first transition, during the present one the central resource issue is oil which Sudan began exporting in 1999.³⁴ The CPA included agreement on equitable sharing of wealth to promote development of the South and other 'marginalised' and war-affected areas. This centred on the agreement that revenues from oil in the South be distributed fairly between the National Government and GOSS. At the time of the SPLM's withdrawal from the GNU in 2007 major complaints were that oil revenues were shrouded in secrecy, and that the revenues due to GOSS had not been paid. This was particularly important at a time when the lack of a 'peace dividend' within the South was a constant and widely expressed complaint.³⁵

The position of much of Sudan's oil in the central border region between North and South has also heightened the issue of where precisely the border lies. The CPA established mechanisms to resolve the border issue, but those mechanisms have proved difficult especially in the crucial oil-rich area of Abyei. Indeed one of the international experts on the commission appointed to decide on the border (the report of which was not accepted by the President and his NCP advisors) has argued that Abyei, and behind it the oilfields issue, could be the breaking point for the whole CPA.³⁶ The dangers were highlighted in May 2008 when armed clashes took place between national government forces and those of the GOSS in Abyei town itself.³⁷

Conflict

As mentioned, both transitional periods were to be over a considerable period of time giving rise to the possibility of unforeseen developments. In the event both agreements were to have implications in terms of intensifying recognised problems to the point of outright conflict.

In the first transition it was the south that was to explode into an outburst of violence in August 1955, known as the Southern Mutiny; and in the crisis it brought on Luce was once more a central figure. As Deputy Governor of Equatoria, in the far south, in 1950-51 he had personal experience of the problems of the region. He was also aware of the concerns in the south about the constitutional developments that had created a unitary state in Sudan rather than some form of special status for the region, a view which had long been canvassed by leading SPS officials there as well as some amongst the small group of southern politicians. In addition there was fear in the south at the impact of

³⁴ Woodward, Peter, 'Politics and Oil in Sudan', in Omeje, K (ed), *Extractive Economies and Conflict in the Global South*, (Aldershot, Ashgate 2008,) p. 107-18.

³⁵ Of the monies available to GOSS approximately half were earmarked for military expenditure as the SPLA was transformed from a guerrilla force into a standing army that could if necessary act as a deterrent to any attempt at a renewal of the deployment of northern troops in the South.

³⁶ Douglas H. Johnson, 'Why Abyei matters: The breaking point of Sudan's comprehensive peace agreement?' *African Affairs*, p.107, 426, Jan. 2008.

³⁷ Following the fighting in Abyei, it was agreed in June 2008 that there should be international arbitration on the decision of the Abyei Boundary Commission.

Sudanization with British officials being replaced by Northern staff with little or no experience of the region. It was also clear that Egyptian agents in the south, where Egypt had Nile monitoring stations, had by 1955 started contributing to anti-Northern feeling, apparently in the hope of restoring Egypt's waning position with the NUP government through a threatening alliance with discontented southerners.³⁸ But Luce, like many others, had not foreseen the possibility of violence in the south that broke out in August 1955, instead commenting shortly before hand that 'concerted trouble' was 'very remote'.³⁹

However when the mutiny did break out amongst southern units of the Sudan army in Equatoria it was Luce, together with Mubarak Zarroug as government representative, who flew to the south to assess the situation and seek the surrender of the mutineers. Meanwhile Salah Salem, the member of Egypt's Revolutionary Command Council (RCC) responsible for Sudan, saw Britain's Ambassador, Humphrey Trevelyan, in Cairo and called for a joint force of the co-dominion to be sent immediately to the south to be placed between northern and southern Sudanese troops.⁴⁰ It was this that Luce felt would be disastrous and he strongly advocated that Sudanese forces from the North should be sent to deal with the situation: anything else could undermine the whole process outlined in the Agreement, as well as damaging Britain's developing relations with the NUP government aimed at encouraging it towards independence from Egypt. 'I am convinced', he wrote, 'that the presence of British and Egyptian troops in the South now (and once there, it would be difficult to withdraw them in the near future) would destroy all hope of any settlement between the North and the South in the foreseeable future.'⁴¹ This cool response was upheld by the Foreign Office, the Embassy in Cairo, and, most importantly Prime Minister Azhari: it was to be a vital decision in reinforcing the NUP's still tentative confidence in Britain and growing distance from Egypt.

The parallel in the current transition with the conflict in the south is the crisis in Darfur. At the time of the signing of the Machakos Protocol in 2002, the scale of the conflict that was to arise in Darfur was not foreseen.⁴² It was known that the situation was difficult with rising tension and some violence, but the scale and initial success of the revolt of early 2003, led by the Sudan Liberation Army (SLA) and the Justice and Equality Movement (JEM), took most people by surprise; as did the scale and ferocity of the government's response, especially through the backing of the *janjaweed* militias. Just as the Southern Mutiny in 1955 owed something to the Anglo-Egyptian agreement, especially the prospect of a rapid change in the south as a result of Sudanization with northern officials replacing British ones and Egypt's attempts at disruption, so it appears

³⁸ Woodward, *Condominium*, p. 147-56.

³⁹ Luce to Lampen, 14 Aug. 1955, quoted in Daly, *Imperial Sudan*, p. 387.

⁴⁰ Sir Humphrey Trevelyan was to write in his memoirs that he received a visit from Salah Salim who, 'appeared to know what was going on before the Governor-General was aware of it. He visited me late one evening in a state of high excitement to propose the despatch of British and Egyptian troops to the south. It looked as if the plan was for the British to move out in due course and for the Egyptian troops to stay and restore the crumbling Egyptian position'. Trevelyan, H, *The Middle East in Revolution*, (London, 1970), p.18.

⁴¹ Douglas H. Johnson (ed), *Sudan: Part II 1951-1956, British Documents on the End of Empire*, (London, The Stationery Office, 1998), p.440.

⁴² Several books have appeared since the eruption of the Darfur crisis including: Prunier, G., *Darfur: The Ambiguous Genocide*, (London, Hurst, 2005); Flint, Julie and De Waal, A, *Darfur: A short history of a long war*, (London, Zed Press, 2005); Daly, M. W., *Darfur's Sorrow: A History of Destruction and Genocide*, (Cambridge, CUP, 2007); O'Fahey, R., *Darfur: a history*, (London, Hurst, 2007).

that the negotiations from 2002 to 2005 leading to the CPA had an effect on the potential Darfur rebels. Feeling excluded by a process that seemed as if it might effectively carve up Sudan between the NCP and the SPLA/M the message to some at least was that the gun was the route to the negotiating table.⁴³ In addition there were links between the SPLA and the SLA which the former calculated would help to increase pressure on the NCP during the negotiating of the various protocols from 2002 to late 2004. At the same time the government appears to have been influenced by the scale of the concessions it had had to make to the south in the CPA and was determined to resist new pressures in the north, beginning with Darfur.

The international community was slow to respond, not least because of concern that turning attention to Darfur might weaken concentration on the implementation of the CPA. But as the situation in Darfur worsened and became a cause of growing concern at the UN action had to be taken. As the crisis has continued, with major peace talks in Abuja in April 2006 having failed, it has inevitably led to speculation about its possible implications for the CPA.⁴⁴ One influence already detected has been its contribution to differences within the GNU. The SPLM became increasingly opposed to the NCP's obstruction of UN involvement in Darfur, and it was one factor in its withdrawal from the GNU for three months at the end of 2007. At the same time one of the factions in Darfur, the JEM, has started talking about wanting secession; and in May 2008 went so far as to stage an unsuccessful attempt on the capital itself.

While Darfur is not directly related to developments within the south, events in the former could have an influence on feelings in the southern region in the run up to both the national elections and the referendum. Certainly the situation in Darfur has created a greater problem than the one encountered in the south in 1955, and which was so expeditiously handled, in the short term at least: yet in the long run the Southern Mutiny was to be seen as the start of decades of conflict, leading to an estimated two million deaths. It is to be hoped that however bad the situation is now in Darfur it will be less than 50 years before a solution is found.⁴⁵

International Community

A further point of comparison between the two transitions lies in the formal and informal roles of the international community. The first one involved the co-domini themselves in making the Anglo-Egyptian Agreement of 1953. Following the agreement three international commissions were established to oversee aspects of the transition, intended in effect to bind the hands of the British officials: these were the Governor-General's Commission to oversee his work; the Electoral Commission to supervise the national elections; and the Sudanization Commission to determine which posts could threaten the 'neutrality' of the transition and replace their British occupants with Sudanese.

⁴³ One of the main criticisms of the CPA was that it was too exclusive. Some Sudanese political parties in particular had been calling for a national conference.

⁴⁴ There was more success in eastern Sudan where a smaller revolt by the Eastern Front led to successful negotiations and the signing of the Eastern Sudan Peace Agreement (ESPA). Critics however have questioned the likely success of the ESPA in the longer term.

⁴⁵ In 2007 Salva Kiir, as President of GOSS, announced that henceforth the anniversary of the Southern Mutiny would be officially commemorated.

The CPA was a Sudanese agreement rather than an international one, but nevertheless had a significant international input. At a regional level the Inter-Governmental Authority for Development (IGAD) was active in promoting the whole process; while at the wider international level Britain, Norway and the US (known as the Troika) played a direct role in setting it up and supporting the lengthy negotiations. As part of the CPA itself an Assessment and Evaluation Commission (AEC) was established with international participation. The CPA also includes international supervision of elections and the referendum in the South; as well as international involvement in the Abyei Boundary Commission (ABC). In addition, the security situation involved the establishment of a UN peace support operation for the South and the border areas while the SPLA was being transformed into the army of the South, Sudan's national army was withdrawn from the region and a joint force was also established. The Darfur crisis led to further international involvement. It was the African Union (AU), rather than the UN, which first stepped in there sending a small military force known as the African Mission in Sudan (AMIS). However when that proved inadequate there was eventual UN agreement in 2007 to deploy a larger hybrid force, the United Nations African Mission in Darfur (UNAMID).

As well as the formal involvement of the international community in the two transitions there were ongoing shifts in international politics. In 1955 Egypt took its first step towards involvement with the Eastern bloc in the Cold War, most notably with the signing of the 'Czech' arms deal. It was a move which strengthened US as well as British resolve to encourage Sudan towards independence. The present transition has been affected by new rivalry, especially China's push for resources including Sudan's oil. As the situation in Darfur deteriorated and the US and Britain became more vocal at the UN with calls for international sanctions against Sudan, it was China that sought to block them. That in turn encouraged calls by influential campaigners on the situation in Darfur to call for a boycott of the Beijing Olympics, to the embarrassment of China.⁴⁶

Conclusion

It may seem something of a contrivance to compare these two transitions, but memories of the past do live on, and there has been considerable discussion in Sudan in recent years of the earlier transition, not least because of the recognition of the importance of them both. For whatever becomes of the present transition, Sudan is not now able to restore any of its past systems, not least because of the empowerment of the South which has already taken place: just as there was no going back on the Anglo-Egyptian Agreement of 1953.⁴⁷ And both transitions also define Sudan's sovereignty for the indefinite future: in 1955 it led to independence from Egypt on 1 January 1956; in 2011 it is intended to decide the future of the South. In the nineteenth century the Turco-Egyptian conquest carved out an area under its control from the Mediterranean almost to Lake Victoria. In

⁴⁶ In March 2008 the American film director Steven Spielberg withdrew from his involvement in the Beijing Olympics citing China's involvement with Darfur.

⁴⁷ I was reminded of this re-kindled interest in the first transition on a bus journey in 2006 with the late Sir Donald Hawley and the former Finance Minister, Ibrahim Moneim Mansour. They were talking about stories of Egyptian involvement in the Southern Mutiny in 1955, and I was able to point them to a relevant part of my book, *Condominium and Sudanese Nationalism*. On my next visit to Sudan I discovered that this section had been translated into Arabic and published in the local press, where it immediately drew a strong denial from the Egyptian ambassador.

the twentieth century Sudan rejected union with Egypt. In the twenty-first century it is intended that Southern Sudan will decide if there will be three states in the Nile valley rather than two. But whether as one state or two there will also be the question for Sudan, North and South, of whether it is possible to establish stable multi-party democracy at the fourth attempt.

The last word, however, will belong not to me but to Bill Luce. What he wrote in a letter to the Sudan Agent in December 1954 is as appropriate today in the midst of the present transition as it was then in the middle of the first one, 'I am afraid I have given you a rather rambling account of these events, and have thrown in a good deal of crystal-gazing, but it is difficult at the moment to try to size up with any real confidence which way things may go. Anyway I hope you will have got some idea of how the situation appears to me at the moment.'⁴⁸

⁴⁸ Luce to Lampen, 29 Dec. 1954, SAD 828/9/71.